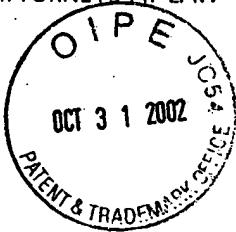


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October 31, 2002

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Commissioner for Patents
Washington, D.C. 20231

Art Unit 1646

Re: U.S. Utility Patent Application
Appl. No. 09/842,256; Filed: April 26, 2001
For: **Transcriptional Intermediary Factor-2**
Inventors: Chambon *et al.*
Our Ref: 1383.0130002/EKS/AJK

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NOV 01 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement;
2. Second Preliminary Amendment; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Andrea Jo Kamage
Agent for Applicants
Registration No. 43,703

Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chambon *et al.*

Appl. No. 09/842,256

Filed: April 26, 2001

For: **Transcriptional Intermediary
Factor-2**

Confirmation No. 7887

Art Unit: 1646

Examiner: Pak, M.D.

Atty. Docket: 1383.0130002

Reply To Restriction Requirement

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Commissioner for Patents
Washington, D.C. 20231

NUV 01 2002

Sir:

In reply to the Office Action dated October 1, 2002, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 21-42, which are added in a Second Preliminary Amendment submitted herewith. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made without traverse.

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions

of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Andrea Jo Kamage
Agent for Applicants
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Date: 10/31/02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Chambon *et al.*
Appl. No. 09/842,256
Filed: April 26, 2001
For: **Transcriptional Intermediary Factor-2**

Confirmation No.: 7887
Art Unit: 1646
Examiner: Pak, Michael D.
Atty. Docket: 1383.0130002

Second Preliminary Amendment

Commissioner for Patents
Washington, D.C. 20231

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TECH CENTER 1600/2900

Sir:

In advance of prosecution on the merits, Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.